

V

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

DIVISION: 6

HON. THOMAS B. LINDBERG

CASE NO. P1300CR20081339

JEANNE HICKS, CLERK

By: Rachel Roehe, Deputy Clerk

DATE: May 5, 2010

FILED
DATE: May 5, 2010
3:59 O'Clock P.M.
JEANNE HICKS, CLERK
BY: Rachel Roehe
Deputy

TITLE:

STATE OF ARIZONA

(Plaintiff)

vs.

STEVEN CARROLL DEMOCKER

(D-1)

COUNSEL:

Yavapai County Attorney (e)

(For Plaintiff)

John Sears (e)

Larry Hammond & Anne Chapman (e)

OSBORN MALEDON, P.A.

(For Defendant)

HEARING ON:

Jury Trial / Jury Selection – Day 2

NATURE OF PROCEEDINGS

COURT REPORTER

Lisa Chaney & Sandra K Markham

START TIME: 8:05 a.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Jeff Paupore, Deputy County Attorney
Steven DeMocker, Defendant
John Sears, Counsel for Defendant
Larry Hammond, Counsel for Defendant
Anne Chapman, Counsel for Defendant

Court and Counsel discuss jurors who had been previously excused by the Court.

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED]. Defense Counsel requests to dismiss this juror for cause. The State objects at this time. The juror is not dismissed at this time.

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED]. Defense Counsel requests to dismiss this juror for cause.

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED]. Both sides agree that this juror should be dismissed for hardship.

At 8:49 a.m., the following eight jurors are called to the jury box.

[REDACTED] [REDACTED] [REDACTED]

The Court addresses the jurors and reads a statement of the case.

At 9:04 a.m., the eight jurors called to the box are sworn.

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED]. Both sides agree to dismiss this juror for hardship. The Court GRANTS the request to dismiss the juror and the juror is excused.

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[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

Discussion takes place with regard to the jury selection process.

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED]. The Court directs staff to inform him to report at 8:30 a.m. tomorrow instead of 1:30 p.m. today.

Discussion takes place with regard to the Courtroom furniture.

~*~*~*~*~ Recess – 9:36 a.m. ~*~*~*~*~

At 9:44 a.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Defense Counsel requests that the Court strike this juror for cause. The Court **DENIES** the motion to strike the juror for cause.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Discussion takes place with regard to the *voir dire* of [REDACTED].

[REDACTED] is examined on *voir dire*.

Court and Counsel hold a discussion at sidebar, on the record, outside of the presence of the juror [REDACTED]

[REDACTED] continues to be examined on *voir dire*. The juror is admonished and excused for hardship.

~*~*~*~*~ Recess – 12:05 p.m. ~*~*~*~*~

At 1:18 p.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

At 1:56 p.m., the following six jurors are called to the jury box.

The Court addresses the jurors and reads a statement of the case.

At 2:11 p.m., the six jurors called to the box are sworn.

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED]

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED]

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[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Defense Counsel requests that the Court strike this juror for cause. The Court **GRANTS** the motion to strike the juror for cause.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

~*~*~*~*~ Recess – 3:13 p.m. ~*~*~*~*~

At 3:29 p.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

Discussion takes place regarding a communication from juror numbered [REDACTED] on the seating chart, [REDACTED]. The juror is excused for hardship without objection.

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

[REDACTED] is examined on *voir dire*. Upon request of both Counsel, the motion to strike the juror for cause is **GRANTED**. The juror is admonished and exits the Courtroom.

Discussion takes place regarding the Defendant's schedule in this matter. Defense Counsel requests if the Defendant would be allowed to have coffee during the trial. Detention staff indicate that he will discuss the issue with his supervisor.

END TIME: 3:59 p.m.

cc: VS (e)
Jury Commissioner (re: excused jurors)
Dean Trebesch (Contract Administrator) (PD) (e)
Division 6
YCSO (e)
John Napper, Counsel for Renee Girard (e)
Christopher DuPont, Trautman DuPont PLC, 245 W Roosevelt, Ste. A Phoenix, AZ 85003,
Counsel for Victims Charlotte and Katherine DeMocker